



4019
Docket No.: PF172
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Greene et al.

Application No.: 09/526,437

Filed: March 15, 2000

For: Human Tumor Necrosis Factor Receptor-Like
Genes

RECEIVED

FEB 19 2003

Group Art Unit: 1647

Examiner: J. Seharaseyon

TECH CENTER 1600/2900

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
Washington, DC 20231

Dear Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to references AO2, AP1, AL2, and AA-AD listed on the attached Form PTO/SB/08. A copy of each of references AA-AD is enclosed. Although references AO2, AP1, and AL2 are listed on the attached form PTO/SB/08, copies are not supplied because they were previously cited by Applicants in an Information Disclosure Statement and a Supplemental Information Disclosure Statement filed in the instant application on September 21, 2000, and October 30, 2000, respectively.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR §§ 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Identification of the listed references is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants

do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Applicants respectfully request that the Examiner review the listed reference(s) and that the reference(s) be made of record in the file history of the application.

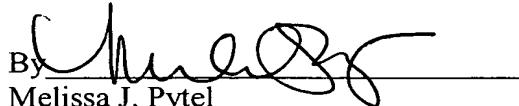
Pursuant to 37 C.F.R. § 1.97(d), although this Supplemental Information Disclosure Statement is being filed after the mailing date of a final Office Action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in this application, the Patent and Trademark Office will consider the Supplemental Information Disclosure Statement if it is accompanied by a statement as specified in 37 C.F.R. § 1.97(d)(1) and the fee as specified in 37 C.F.R. 1.97(d)(2). Accordingly, the required fee of \$180.00 is transmitted herewith with the concurrently filed Fee Transmittal, with the appropriate fee(s).

Accordingly, the undersigned certifies pursuant to 37 C.F.R. § 1.97(e)(1) that each item of information contained in this Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Supplemental Information Disclosure Statement. In particular, the listed references (AA-AC) were cited in a European Search Report (reference AD) mailed January 13, 2003, in connection with a corresponding international application. The required fee of \$180.00 is also transmitted herewith with the concurrently filed Fee Transmittal, with the appropriate fee(s).

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 08-3425.

Dated: February 12, 2003

Respectfully submitted,

By 
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FEB 12 2003

PTO/SB/08 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office: U. S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				RECEIVED	
(use as many sheets as necessary)				FEB 19 2003	
Sheet	1	of	1	Examiner Name	TECH CENTER 1600/2900
				John M. Greene	
				1647	
				J. Seharaseyon	
				Attorney Docket Number	PF172

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AO2	EP 0 816 380 A	01-07-1998	Snow Brand Milk Product Co. Ltd.	
	AP1	WO 96/26217 A	08-29-1996	Mochizuki Shin Ichi; Morinaga Tomonori; Snow Brand Milk Product	
	AL2	WO 96/28546 A	09-19-1996	Human Genome Sciences, Inc.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

¹Applicant's unique citation designation number (optional). ²See attached Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
	AA	Kwon et al. "TR1, a new member of the tumor necrosis factor receptor superfamily, induces fibroblast proliferation and inhibits osteoclastogenesis and bone resorption" FASEB Journal 12(10):845-854 (1998)			
	AB	Simonet et al. "Osteoprotegerin: A novel secreted protein involved in the regulation of bone density" Cell 89(2):309-319 (1997)			
	AC	Tsuda et al. "Isolation of a novel cytokine from human fibroblasts that specifically inhibits osteoclastogenesis" Biochemical and Biophysical Res. Comms. 234(1):137-142 (1997)			
	AD	Supplementary Partial European Search Report, Application No. 96 93 5862, dated January 13, 2003			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Examiner Signature	Date Considered
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